

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|--------------------------|---|---------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | CRIMINAL NO. 05-10063-PBS |
| v. |) | |
| |) | |
| DUSTIN T. WARD |) | |
| |) | |

JOINT STATUS CONFERENCE MEMORANDUM

The United States of America, by Assistant U.S. Attorney Ann Taylor, and the defendant Dustin Ward, by counsel Hank Brennan, Esq., jointly submit this memorandum and state that at this time, there is no need for the initial status conference, presently set for May 4, 2005. The parties address herein the issues delineated in L.R. 116.5(A)(1)-(A)(7).

1. The defendant requests additional relief from the otherwise applicable timing requirements imposed by L.R. 116.3, specifically an extra thirty (30) days to request discovery pursuant to L.R. 116.3(A). The Government does not oppose said request.

2. The government anticipates the disclosure of the computer hard drive in this matter, as soon as a protective order has been entered by the Court in this matter. The undersigned has forwarded a copy of said protective order to counsel for the defendant for his review. The government does not anticipate any additional discovery with the exception of that due at least twenty-one days prior to trial pursuant to L.R. 116.2(B)(2)(a)-(g)), but allows that it might do so in response to specific defense requests.

3. A motion date should be established under Fed. R. Crim. P. 12(c). The defendant requests that a date be set after discovery is complete.

4. The parties agree that the time between the date of the filing of this memorandum, April 27, 2005, through the date that the Court sets for the filing by the defendant of motions, up to and including the date that the Court sets for the government's response thereto, should be excluded pursuant to 18 U.S.C. § 3161(h)(1)(F).

5. At this juncture, the parties anticipate a trial, which is expected to last approximately one week.

6. The parties request that an interim status conference be set.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: s/ Ann Taylor
Ann Taylor
Assistant U.S. Attorney

Dustin T. Ward
Defendant

By: s/ Hank Brennan
Hank Brennan
Counsel for Dustin Ward

DATE: April 27, 2005